



**Board of Zoning Appeals**  
**Zoom Hybrid Meeting**  
**DRAFT Meeting Minutes**  
**February 15, 2023**  
**Approved: \_\_\_\_\_**

**Board Members Present:** Cheryl Thompson, Thomas Butler, Bob Howarth, David Tyler, and Chair Stephen Morreale

**Board Members Absent:** Andrew Hillman

**Quorum Present**

**Others Present:**

**Planning Board Members:** Linda Liddle

**Town Staff:** Niels Tygesen

**Members of the Public:** Members of the Klankowski Setback Appeal included: Shawn Ritchie, Karl Klankowski, and Matt Hatton

### Proceedings

Chair Morreale called the meeting to order at 7:07 PM at Town Hall.

**Motion** by Howarth:

Move to appoint Butler as a voting member for the meeting.

Tyler seconded.

**Vote:** Thompson, aye; Butler, aye; Howarth, aye; Tyler, aye; Chair Morreale, aye.

**Motion Carried.**

### Approval of Agenda

**Motion** by Howarth:

Move to amend the draft agenda which, after debate and amendment, was proposed as follows: to omit agenda item #4, 'Privilege of the Floor'.

Tyler seconded.

**Vote:** Thompson, aye; Butler, aye; Howarth, aye; Tyler, aye; Chair Morreale, aye.

**Motion Carried.**

### Meeting Minutes

**Motion** by Tyler:

Move to table the discussion of the January minutes for the next meeting.

Thompson seconded.

**Vote:** Thompson, aye; Butler, aye; Howarth, aye; Tyler, aye; Chair Morreale, aye.

**Motion Carried.**

**Motion** by Howarth:

Move to go into executive session.

Motion not seconded.

Motion failed.

### **New Business Items**

#### **Klankowski Setback Appeal**

The applicant, Shawn Ritchie of FLX Tram, on behalf of the property owner, Karl Klankowski, requested an appeal of a permit denial to construct a new detached accessory structure (tram system) within required yard and buffer setbacks. The subject property is located at 1375 Taughannock Blvd, parcel 28.-1-5, which is within the LS: Lake Shore zone and is within the steep slope overlay.

Staff was asked if the applicant had applied for a permit and that the permit had been denied. Tygesen responded that was correct.

Staff was asked if the denial was written or verbal.

Tygesen responded communication to the applicant was via email and telephone.

Staff was asked if the information provided to the applicant was specific as to the regulation requirements.

Tygesen responded yes.

Discussion ensued on the merits of including the written communication provided to applicants as an exhibit to the Board.

Staff was asked to clarify if there was one or three requested variances and or appeals.

Tygesen responded there was one appeal of the permit denial that included three separate variances from zoning regulations.

Staff was asked to provide evidence that U.S. Fish and Wildlife Services (USFWS) designated Cayuga Lake as a federally designated wetland.

Tygesen provided the classification designation by USFWS and that additional information would be provided to the Board.

The applicant's team addressed the Board on the proposal, and answered Board members questions regarding construction techniques, materials used, environmental considerations, proposed location of the tram, and tram connection to the dock.

The applicant asked if setback requirements applied to stairs that connect to a boathouse or dock on the lake.

Tygesen responded that a structure is defined as a building under the zoning code, and that setbacks, as they pertain to buildings, are applicable to stairs.

The applicant asked if a permit and varaince from the Town was required to construct stairs within a required setback to connect down to a dock.

Board members responded yes.

Board members requested the applicant provide additional information to document the viability of alternative locations for the tram and to provide an amended site plan.

It was discussed and requested that the Board open the hearing at next month's meeting.

### **Operational Items**

**Motion** by Butler:

Move to appoint Howarth as Vice Chair for 2023.

Thompson seconded.

**Vote:** Thompson, aye; Butler, aye; Howarth, aye; Tyler, aye; Chair Morreale, aye.

**Motion Carried.**

Discussion ensued on the process, timing of application submittals, and the Board's calendar, along with the timing and amount of information provided to the Board by staff.

Discussion ensued on implementing Board Rules. Howarth distributed materials to the Board and staff for consideration.

Discussion ensued on the need to update the Town's webpage on information pertaining the Board and its duties.

Discussion ensued on notice requirements, procedures, and best practices.

Discussion ensued on Board members, alternate members, and quorums.

**Motion** by Thompson:

Move to adjourn.

Howarth Seconded.

**Vote:** Thompson, aye; Butler, aye; Howarth, aye; Tyler, aye; Chair Morreale, aye.

**Motion Carried.**

**ADJOURNED 9:03 PM**

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Niels Tygesen  
Town Planner, Interim Board of Zoning Appeals Secretary